

April 10, 2024

BY ECF

Hon. Mary Kay Vyskocil
Southern District of New York
500 Pearl St., Room 2230
New York, NY 10007

Re: *The Satanic Temple, Inc. v. Newsweek Digital, LLC (22-cv-1343)*
Post-Discovery Joint Status Report

Dear Judge Vyskocil:

Pursuant to the Court's directive (ECF No. 90), the parties jointly report as follows:

A. *A statement of any existing deadlines, due dates, and/or cut-off dates.*

There are no "existing" deadlines due dates and/or cut-off dates. Discovery closed on December 7, 2023. (ECF Nos. 59, 69).

B. *A brief description of any outstanding motions.*

There are no outstanding motions.

C. *A brief description of the discovery undertaken and if either party believes any additional discovery that needs to be completed, the reason why the discovery has not been undertaken.*

The parties exchanged written discovery and took all noticed depositions. Neither party believes any additional discovery needs to be completed.

D. *A statement describing the status of any settlement discussions and whether the parties would like a settlement conference.*

The parties last had substantive settlement discussions during the Rule 26(f) conference, at which Plaintiff made a monetary demand. Defendant declined and offered a non-monetary settlement, which Plaintiff declined. Near the middle of discovery, Defendant reiterated that it was open to a non-monetary settlement, which Plaintiff declined. The parties' positions have not changed. Plaintiff recommends a settlement conference be scheduled, if at all, after the cross motions for summary judgment have been fully briefed. Defendant believes that a settlement conference would be unproductive if Plaintiff is unwilling to consider a non-monetary resolution.

E. *A statement of the anticipated length of trial and whether the case is to be tried to a jury.*

Two days; by jury.

F. *a statement of whether any party anticipates filing a motion for summary judgment or a motion to exclude expert testimony (see Individual Practice Rules ¶4(A)(i));*

Both parties intend to cross-move for summary judgment. See Pre-Motion Letters (ECF Nos. 91 and 93). Neither party intends to rely on expert testimony.

G. *Any other issue that the parties would like to address at the conference.*

None.

H. *Any other information that the parties believe may assist the Court in advancing the case to settlement or trial.*

None.

Respectfully submitted on April 10, 2024,

By: /s/ Matt Kezhaya

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CERTIFICATE OF SERVICE

NOTICE IS GIVEN that I, Matt Kezhaya, efiled the foregoing document by uploading it to the Court's CM/ECF system on April 10, 2024, which sends service to registered users, including all other counsel of record in this cause. *s/ Matt Kezhaya*